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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT PAPER NUMBER

3623

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/588,963

Applicant(s)

BOGART ET AL.

Examiner

Akiba K Robinson-Boyce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Due to communications filed 5/21/04, the following is a final office action. Claim 1 has been amended. Claims 1-13 are pending in this application and have been on the merits. The previous office action has been withdrawn and the following action reflects the claims as amended. Claims 1-13 are rejected as follows.

Claim Rejections - 35 USC § 103

2. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (US 6,108,711), and further in view of Rangachari et al (US 6,470,227).

As per claims 1, 13, Beck et al discloses:

A contact layer comprising a plurality of communications media with customers of a business served by the customer care center, each handler adapted to handle a specific one or more of the media, and including connecting the contacts to resources for servicing, collecting and reporting events including contact and resource status, and handing the events and assigning the resources according to received directions, (Col. 4, lines 8-10, [extended layer for managing media contact between customers and business partners]);

A communications layer comprising software for managing media in a media-independent manner, including allocating resources shared by a plurality of handlers and directing handling of events by the contact layer according to business information,

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and tracking an accumulating events reported by the contact layer, (Col. 4, lines 12-13, [workflow layer for routing media events], Col. 5, lines 49-56, [shows routing incoming calls to agents]);

A business layer comprising software for managing business services by supplying business information that defines the services to the communications layer, (Col. 13, lines 17-20, [business-logic layer]).

Beck et al fails to disclose defining workflows of the services via dialogs that are derived from business rules and use business data and data from the communications layer to determine the communications and parameters of the communications for the communications layer, but does disclose managing interactions in a multi-media communication center in the abstract, lines 1-4.

However, Rangachari et al discloses:

defining workflows of the services via dialogs that are derived from business rules and use business data and data from the communications layer to determine the communications and parameters of the communications for the communications layer, (col. 13, 24-37, [where it is shown that the workflow definition begins with an activity that is provided by a user through a dialog to, for example to make a determination for the Auto-Id device {represents a communication device}]. Rangachari et al discloses this limitation in an analogous art for the purpose of showing that a dialog can be used by a user to define workflows.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to define workflows of the services via dialogs that are derived

from business rules and use business data and data from the communications layer to determine the communications and parameters of the communications for the communications layer with the motivation of providing the user with means for accurately defining workflows according to rules.

As per claim 2, Beck et al discloses:

The contact layer manages resources that are not shared by a plurality of handlers, (Col. 2, lines 35-45, [calls do not share a connected channel path], Col. 3, lines 23-27, [separate lines]).

As per claim 3, Beck et al discloses:

Each handler manage the unshared resources that are allocated to that handler, (Col. 3, lines 23-27, [separate lines])

As per claim 4, Beck et al discloses:

The communications layer comprises no media-specific equipment, (Col. 9, lines 45-50, [media of choice]).

As per claim 5, Beck et al discloses:

The communications layer software further directs handling of events according to the accumulated reported events, (Col. 12, lines 32-35, [overall record]).

As per claim 6, Beck et al discloses:

The communications layer software provides information on the accumulated reported events to the business layer, (Col. 13, lines 29-32, [shows that existing network applications (which include communications layer applications) interact with the business object]).

As per claim 7, Beck et al discloses:

The business layer software manages business services by managing transactions each comprising one or more communications and that provide the business services, by defining business rules and applying them to the transaction to develop dialogs which it supplies to the communications layer, (Col. 13, lines 16-19, [business object models] w/ col. 3, lines 56-62, [shows business rules], Col. 10, lines 9-13, [enterprise (business) rules initiate customer dialog]).

The communications layer software translates the supplied dialogs into translations that it uses to control the contact layer and translations that it supplies to the contact layer, (Col. 10, lines 9-11, [configuring]);

The handlers of the contact layer use the translations supplied thereto to manage the contacts, (Col. 10, lines 9-11, [outbound campaigns]).

As per claim 8, Beck et al discloses:

The business layer software supplies to the communications layer definitions of reports requested by the business and forms the reports from data collected by the communications layer, (Col. 3, lines 51-61, [reporting statistics routed according to business rules]).

The communications layer software translates the definitions of the reports into database schema that accommodate data that the communications layer must collect for those reports, (Col. 9, lines 40-44, [cross referencing to the database]).

As per claim 9, the following is inherent with Beck et al since it is disclosed that their system includes enterprise resource planning, (See Col. 13, lines 29-32):

The business rules include resource scheduling rules, resource behavior rules, service target rules, and customer treatment rules, (Col. 38, lines 29-35, [rules]).

As per claim 10, Beck et al discloses:

The business layer software further has access to customer data that it applies to the transactions to develop the dialog, (Col. 10, lines 9-13 [shows dialog], w/ Col. 7, lines 40-46, [transferring customer data])

As per claim 11, Beck et al discloses:

The business layer software effects scheduling and adherence tracking of resources by providing business information to the communications layer and obtaining accumulated reported events from the communications layer, (Col. 13, lines 29-32, [shows that existing network applications (which include communications layer applications) interact with the business object], Col. 13, lines 16-19, [shows business-logic layer and the components of that layer that perform different types of communication])).

As per claim 12, Beck et al discloses:

The business layer provides an interface for the business to the customer care center for providing information to and obtaining information from the customer care center, (Col7, lines 9-18, [CINOS application-program interface]).

Response to Arguments

3. Applicant's arguments filed 6/7/04 have been fully considered but they are not persuasive.

The applicant argues that Beck et al partition functionality of the multimedia communication layer differently from applicants and that the definitions of applicants' layers as recited in applicants' claims do not correspond to the layers disclosed by Beck et al. Specifically, the applicant argues that Beck et al's "business-logic-layer" does not correspond to applicants' recited business layer and is not an additional layer, but is a part of the three layers of Beck et al. However, even part of a layer is still considered to be that specific layer. Nevertheless, Beck et al's "business-logic-layer" still carried out the function of the applicants' recited business layer (before amended) by managing business services through contacts, interactions, knowledge-bases, events, routing processes and other system routines as shown in Col. 13, lines 17-20.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A.R.B.

A. R. B.
August 4, 2004

Susanne Diaz
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